

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TIMOTHY FERGUSON,)	
)	
Plaintiff,)	Case No. 20-cv-04046
)	
vs.)	
)	
COOK COUNTY, ILLINOIS, et al,)	Magistrate Gabriel A. Fuentes
)	
Defendants.)	

JOINT STATUS REPORT

The parties, by and through their counsel of record, submit this joint status report pursuant to ECF No. 141, stating as follows:

STATUS OF DISCOVERY

On August 11, 2023, the Court granted a joint motion to extend the date for filing a joint status report. The status is as follows. The undesigned counsel for Plaintiff has been engaged in a significant personal emergency involving the removal of a family member from life-continuing IVs and going through the hospice process prior to the passing of the relative, which will be within the next few days. It has taken up a great deal of the undersigned's time over the past few weeks.

On May 12, 2023, Plaintiff issued a settlement demand to Defendants. On July 27, 2023, Defendant City of Chicago issued a Rule 68 Offer of Judgment to Plaintiff. Plaintiff did not respond and therefore Plaintiff rejected the offer of judgment.

In terms of scheduling, Plaintiff's deposition was completed on March 27, 2023. On August 17, 2023, Plaintiff noticed the depositions for Richard Bednarek, Abelardo Mercado, Eddie Ishoo, and John D. Barloga. None of the dates or times were previously discussed with the parties. Defense counsel has not had an opportunity to speak with the respective clients to determine whether the noticed dates and times are available. Defense counsel has not noticed any additional depositions.

However, on behalf of the Cook Sheriff Defendants, multiple and ongoing efforts have been expended to locate witness Vickie Gow, but those efforts have been unsuccessful. It remains the intention of the Cook County Sheriff Defendants to locate Ms. Gow and serve her with a subpoena for testimony. Co-defendant City of Chicago has also been unsuccessful in serving Ms. Gow with a deposition subpoena due to incomplete or incorrect contact information.

Furthermore, Defendant City of Chicago will supplement its production pursuant to Fed. R. Civ. P. 26(e) by Friday, August 18, 2023. Discovery is set to close on August 31, 2023. ECF No. 138.

A further status report within 7 days would be appropriate in order to address any scheduling issues regarding the availability of defense counsel for the deposition of defendants.

Dated: August 17, 2023.

Respectfully Submitted,

/s/Maxwell Evan Lisy

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